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Attorney for QUYNHMY YAMAMOTO

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

THE UNITED STATES OF AMERICA,) No. 2:20-cr-00005 DAD
Plaintiff,)
) STIPULATION AND
v.) ORDER TO CONTINUE
) SENTENCING HEARING
VILIAMI FATUKALA,)
QUYNHMY YAMAOTO,)
IRIS MINA, and) Requested date: 9-26-2023
JOHN HOLLIS II,) Time: 9:30 a.m.
Defendants.) Judge: Hon. Dale A. Drozd

=====)

It is hereby stipulated between the parties, Aaron Pennekamp, Assistant United States Attorney, Eric Hintz, attorney for defendant VILIAMI FATUKALA, Dina Santos, attorney for defendant IRIS MINA, Assistant Federal Defender Megan Hopkins, attorney for defendant JOHN HOLLIS II, and Michael D. Long, attorney for defendant QUYNHMY YAMAMOTO, that the sentencing hearing set for July 11, 2023, at 9:30 a.m., before Judge Drozd, should be continued and re-set for September 26, 2023, at 9:30 a.m., before Judge Drozd.

Each party has agreed to move the sentencing hearing, with the Court's permission, to September 26, 2023. All parties are available to appear, and they all agree to appear, in court in-person on September 26, 2023.

The parties further agree that this court should make a finding of good cause for the requested extension and that in fact good cause is hereby shown. USPO Lewis filed the draft pre-sentence report on May 2, 2023. Informal objections to the draft PSR are currently due on May 30, 2023. The parties

1 are diligently working on the informal objections, and the defense attorneys are meeting with their
2 clients to explain the findings and recommendations in the report, and to get each client's input
3 concerning the objections. Each defense attorney needs more time to meet with his/her client and to
4 continue drafting the informal objections. Counsel for defendants believe that failure to grant the
5 above-requested continuance would deny counsel the reasonable time necessary for effective
6 preparation for sentencing, taking into account the exercise of due diligence. The government
7 agrees that a continuance is necessary. Good cause is hereby shown.
8

9 The parties hereby stipulate to re-set the schedule for the Presentence Report as follows:

10 Judgment and Sentencing Date: September 26, 2023

11 Reply, or Statement of Non-opposition: September 19, 2023

12 Motion for Correction of the Presentence Report shall be filed with the Court and
13 served on the Probation Officer and opposing counsel no later than: September 12,
14 2023

15 The revised final Presentence Report will be filed with the Court on August 29, 2023

16 Counsel's informal objections will be filed by August 15, 2023

17 The draft Presentence Report was filed on May 2, 2023
18

19 Dated: May 26, 2023

20 Respectfully submitted,

21 /s/ Michael D. Long

22 MICHAEL D. LONG
23 Attorney for Quynhmy Yamamoto

24 /s/ Eric Hintz

25 ERIC HINTZ
26 Attorney for Viliami Fatukala

27 /s/ Dina Santos

28 DINA SANTOS
Attorney for Iris Mina

/s/ Megan Hopkins
MEGAN HOPKINS
Assistant Federal Defender
Attorney for John Hollis II

Dated: May 26, 2023

PHILLIP TALBERT
United States Attorney

/s/ Aaron Pennekamp
AARON PENNEKAMP
Assistant U.S. Attorney

ORDER

GOOD CAUSE APPEARING AND HAVING BEEN SHOWN, IT IS SO ORDERED.

The date for the status hearing in this matter is hereby re-set for September 26, 2023, at 9:30 a.m., before District Court Judge Dale A. Drozd. The new PSR schedule is:

The parties hereby stipulate to re-set the schedule for the Presentence Report as follows:

Judgment and Sentencing Date: September 26, 2023

Reply, or Statement of Non-opposition: September 19, 2023

Motion for Correction of the Presentence Report shall be filed with the Court and served on the Probation Officer and opposing counsel no later than: September 12, 2023

The revised final Presentence Report will be filed with the Court on August 29, 2023

Counsel's informal objections will be filed by August 15, 2023

The draft Presentence Report was filed on May 2, 2023

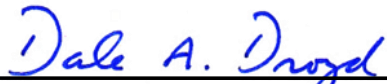
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1 Although in the court's view unnecessary because the defendants have entered guilty pleas
2 and this continuance relates solely to sentencing, time is nonetheless deemed excludable pursuant
3 to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance
4 granted by the Court at defendants' request on the basis of the Court's finding that the ends of
5 justice served by taking such action outweigh the best interest of the public and the defendant in
6 a speedy trial. Time is excluded through the new hearing date of September 26, 2023.
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9 IT IS SO ORDERED.

10 Dated: May 26, 2023

11 
12 UNITED STATES DISTRICT JUDGE
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